

From: Snyderman, Eric M. (CIV)

Sent: Thursday, January 15, 2026 2:29 PM

To: Emi MacLean <EMacLean@aclunc.org>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>

Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>

Subject: RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Emi,

Please find both Defendants' proposed search terms, dates, and custodians (attached), and the answer to your question below about the named USCIS personnel proposed as custodians.

Was Policy Analyst Ofira Honig tasked with drafting the relevant Haiti USCIS Decision Memo and country conditions reports?

The role of policy analyst Ofira Honig was to draft the relevant Haiti USCIS Decision Memo. She was not tasked with drafting country condition reports.

Was RAIO Analyst Emma Krichinsky tasked with drafting the relevant Haiti USCIS Decision Memo and country conditions reports?

Emma Krichinsky is the Research Branch Chief in the Research & TRIG (R&T) Division in the Refugee, Asylum and International Operations Directorate at U.S. Citizenship and Immigration Services. She did not draft the country conditions report for Haiti. As a branch chief, she tasked her staff members to draft the report, ensured the report was being drafted on schedule, reviewed the report, and provided guidance and editing on the country conditions report. She provides managerial support to all of the drafters in the Research Branch. She had no responsibility or role in the drafting of the USCIS decision memo.

Was RAIO Analyst Rebecca Tanner tasked with drafting the relevant Haiti USCIS Decision Memo and country conditions reports?

Rebecca Tanner is the Division Chief of the Research & TRIG (R&T) Division, Refugee, Asylum and International Operations Directorate, U.S. Citizenship and Immigration Services. She did not draft the country conditions report for Haiti, but did review and provide edits to it. As the Division Chief, she supervised the overall TPS drafting schedule and provides managerial support for the Research Branch and other branches within RAIO. She had no responsibility or role in the drafting of the USCIS decision memo.

Best regards,

Eric Snyderman

Trial Attorney, Office of Immigration Litigation, U.S. Dept. of Justice
O: (202) 742-7079 | M: (202) 925-0636 | eric.m.snyderman@usdoj.gov

From: Emi MacLean <EMacLean@aclunc.org>

Sent: Thursday, January 15, 2026 11:20 AM

To: Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>

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Subject: [EXTERNAL] RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Thanks, Ilana. If Defendants are unable to confirm who these proposed custodians by the time this is ready for filing, we will add the below to our portion and cut accordingly to ensure the page length complies with the Court's standing order.

Plaintiffs also request that the Court order Defendants to include as custodians, , consistent with the Court's prior order: a) Policy Advisors who drafted the USCIS Decision Memo; and b) RAIO personnel involved in country conditions review. Dkt. 135 at 2-3. Defendants have been unable to confirm whether their proposed custodians Ofira Honig, Rebecca Tanner, and Emma Krichinsky were these people.



Emi MacLean

Pronouns: she/her/hers

Senior Staff Attorney

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39 Drumm St., San Francisco, CA 94111

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From: Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>
Sent: Thursday, January 15, 2026 7:50 AM
To: Emi MacLean <EMacLean@aclunc.org>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Emi,

We are checking with the client and will follow-up with answers as quickly as possible.
We do understand your urgency.

All the best,
Ilana

Ilana R. Kramer

Trial Attorney | U.S. Department of Justice
Office of Immigration Litigation
P.O. Box 868 | Ben Franklin Station | Washington, DC 20044
(202) 860-9949 | Ilana.R.Kramer@usdoj.gov



From: Emi MacLean <EMacLean@aclunc.org>
Sent: Thursday, January 15, 2026 10:45 AM
To: Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham

<arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>

Subject: [EXTERNAL] RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Ilana,

It's possible that it's included but I didn't see it in a quick read-through. I would appreciate if you would include answers in an email as this is hopefully an easy question about the roles of particular individuals you identified as custodians, and those you proposed excluding.

Best,
Emi



Emi MacLean

Pronouns: she/her/hers

Senior Staff Attorney

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From: Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>

Sent: Thursday, January 15, 2026 7:42 AM

To: Emi MacLean <EMacLean@aclunc.org>; Mueller, Ruth A. (CIV)

<Ruth.A.Mueller@usdoj.gov>; Snyderman, Eric M. (CIV)

<Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>;

Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>

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<ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-

Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E

(CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV)

<Jeffrey.M.Hartman@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>;

Minju Cho <mcho@aclunc.org>

Subject: RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

I thought that was included in the draft I just returned. We've got various personnel and review to clear and are working to answer your questions. We understand the importance and thank you for your patience.

All the best,
Ilana

Ilana R. Kramer

Trial Attorney | U.S. Department of Justice
Office of Immigration Litigation
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From: Emi MacLean <EMacLean@aclunc.org>
Sent: Thursday, January 15, 2026 10:37 AM
To: Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: [EXTERNAL] RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Thanks, Ilana. I don't see the answer to the questions however; can you please clarify where that is? Also can you please send a signature block for the DOJ signatories?



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From: Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>
Sent: Thursday, January 15, 2026 7:30 AM
To: Emi MacLean <EMacLean@aclunc.org>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Good morning, Emi,

We appreciate your patience. Please find attached our revised version signed. We are addressing your question as well.

Ilana

From: Emi MacLean <EMacLean@aclunc.org>
Sent: Thursday, January 15, 2026 8:48 AM
To: Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: [EXTERNAL] RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Thank you, Ruth Ann. We look forward to receiving your portion promptly. I have attached our revised version with a minor edit highlighted in yellow, to respond to your proposed narrowing of the scope of the requests. (The only other changes are nonsubstantive to maintain our page length with this addition.) I have also updated the summary of the parties' positions in the attached, based on what Defendants sent yesterday, for ease of the Court's review.

I also wanted to alert you to the outstanding question in the attached email, and pasted below for convenience. Can you please answer these questions as well so we can be assured that the only remaining dispute with regard to the custodians is these six custodians. Please do not delay any further sending your portion to answer, but if we do not have answers we will note in our portion that we do not have an answer to this question.

Lastly, please add Defendants' signatories when you send back as they are not included in the version you sent yesterday.

Best,
Emi

We asked for Defendants to include as custodians a) Policy Advisors involved in drafting USCIS Decision Memo for Haiti; and b) RAIO personnel involved in country conditions review for Haiti. Defendants identified among their proposed custodians Policy Analyst Ofira Honig and RAIO analysts Rebecca Tanner & Emma Krichinsky. Are these named individuals those who were tasked with drafting the relevant Haiti USCIS Decision Memo and country conditions reports?

If so, the only remaining dispute is regarding the six individuals listed below. If Defendants are not willing to include these custodians, please let us know Defendants' reason for objecting to their inclusion. Is it Defendants' position that these individuals are unlikely to have documents relevant to the Haiti TPS decisionmaking?



Emi MacLean

Pronouns: she/her/hers

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From: Mueller, Ruth A. (CIV) Ruth.A.Mueller@usdoj.gov

Sent: Thursday, January 15, 2026 4:25 AM

To: Emi MacLean EMacLean@aclunc.org; Snyderman, Eric M. (CIV) Eric.M.Snyderman@usdoj.gov; Wade, Shelby (CIV) Shelby.Wade2@usdoj.gov; Cappelletti, Daniel (CIV) Daniel.Cappelletti@usdoj.gov

Cc: Jessica Bansal Contact jessica@ndlon.org; Ahilan Arulanantham arulanantham@law.ucla.edu; Erik Crew ecrew@haitianbridge.org; Amanda Young ayoung@aclunc.org; Diana Sanchez DianaSanchez@aclusocal.org; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV)

<Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV)
<Ilana.R.Kramer@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>;
Minju Cho <mcho@aclunc.org>
Subject: RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Hi Emi,

Thanks for alerting us to the standing order – we have added page numbers to the draft document and will circulate with our revised portion.

Thanks,

Ruth Ann

Ruth Ann Mueller
Senior Litigation Counsel
DOJ/Office of Immigration Litigation
202-598-2445

From: Emi MacLean <EMacLean@aclunc.org>
Sent: Wednesday, January 14, 2026 7:59 PM
To: Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: [EXTERNAL] Re: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Counsel,

As noted in my earlier email, Judge Kim's standing order says that letter briefs are limited to 8 pages and - with the initial section - your portion cannot be more than 3.5 pages. (See email of Jan 13 at 11:12 am.) I am reviewing by phone at the 9th Circuit argument but understand that your portion is well over that. Please modify to make it the appropriate length and return it to us no later than 10 am EST tomorrow and we will file first thing in the morning.

Emi

Emi MacLean
Senior Staff Attorney
ACLU of Northern California

From: Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>
Sent: Wednesday, January 14, 2026 3:31:22 PM
To: Emi MacLean <EMacLean@aclunc.org>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Emi,
Please find the Defendants' portion of the Joint Discovery Letter Brief. We have conferred with our client and they have decided to propose a different date range, as discussed in the document.

Best regards,

Eric Snyderman

Trial Attorney, Office of Immigration Litigation, U.S. Dept. of Justice
O: (202) 742-7079 | M: (202) 925-0636 | eric.m.snyderman@usdoj.gov

From: Emi MacLean <EMacLean@aclunc.org>
Sent: Wednesday, January 14, 2026 5:55 PM
To: Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>

Subject: [EXTERNAL] Re: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Hi Ruth Ann,

We agreed on Monday we would file the discovery letter brief yesterday, and we deferred until today to give you sufficient time to confer with your client. In light of the urgency of the issue and the imminent harm to our clients from the Haiti termination, we will be obliged to file today regardless of whether the government provides their portion of the discovery letter brief. Please provide your portion no later than 4pm PST.

Best,

Emi

Emi MacLean
Senior Staff Attorney
ACLU of Northern California

From: Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>
Sent: Wednesday, January 14, 2026 11:29:53 AM
To: Emi MacLean <EMacLean@aclunc.org>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
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Subject: RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Hi Emi,

Thanks – we are still conferring with our client and anticipate getting you our portion shortly. We also intend for this letter to be filed today.

Thanks,

Ruth Ann

Ruth Ann Mueller
Senior Litigation Counsel
DOJ/Office of Immigration Litigation

202-598-2445

From: Emi MacLean <EMacLean@aclunc.org>
Sent: Wednesday, January 14, 2026 2:28 PM
To: Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
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Subject: [EXTERNAL] RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Ruth Ann,

We are awaiting the government's portion of the discovery letter brief and need it promptly to be able to finalize and file this today. We understood from your email yesterday that we would receive it this morning. Please let us know when we can expect it.

Best,
Emi



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From: Emi MacLean
Sent: Wednesday, January 14, 2026 1:03 AM
To: 'Mueller, Ruth A. (CIV)' <Ruth.A.Mueller@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
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Minju Cho <mcho@aclunc.org>

Subject: RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Hi Ruth Ann,

Please find attached a revised version of the draft discovery letter, incorporating Defendants' counterproposal and Plaintiffs' responses. We have also attached as an Exhibit a summary of the parties' respective proposals for date ranges, custodians and search terms, with the still-pending question I posed by email highlighted in yellow.

We look forward to receiving Defendants' portion in the morning, as well as any edits to Defendants' proposal elaborated in the Exhibit.

We reserve the right to modify further if Defendants modify their proposal, and otherwise to provide nonsubstantive edits in our final review.

Best,
Emi



Emi MacLean

Pronouns: she/her/hers

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From: Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>

Sent: Tuesday, January 13, 2026 2:00 PM

To: Emi MacLean <EMacLean@aclunc.org>; Snyderman, Eric M. (CIV)
<Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>;
Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>

Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham
<arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young
<ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-
Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E
(CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV)
<Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV)
<Ilana.R.Kramer@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>;
Minju Cho <mcho@aclunc.org>

Subject: RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Hi Emi,

Thanks for sending this response. We will provide our response for the letter to the Magistrate Judge as soon as possible tomorrow morning after we have had a chance to discuss Judge Chen's hearing today with DHS.

Thanks,

Ruth Ann

Ruth Ann Mueller
Senior Litigation Counsel
DOJ/Office of Immigration Litigation
202-598-2445

From: Emi MacLean <EMacLean@aclunc.org>

Sent: Tuesday, January 13, 2026 4:11 PM

To: Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>

Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>

Subject: [EXTERNAL] RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Eric,

Thanks for providing a counterproposal. Unfortunately we cannot consent to this counterproposal.

With regard to date range:

Defendants' counterproposal would neglect to include records related to the initial TPS termination of Haiti, which is of great relevance here. Defendants cannot contend that the search is unduly burdensome going back to the last search. If Defendants did not communicate regarding the TPS decision related to Haiti during a portion of the date range, there will be no responsive documents and thus no burden. Plaintiffs' proposed date range is consistent with that stipulated and ordered in both *NTPSA I* and *NTPSA II*.

With regard to search terms:

Applying your proposed search terms to Defendants' prior productions would exclude the vast majority of the responsive documents previously produced, including key documents

related to DHS's decisionmaking – for instance, the single State Department “consultation” email (HaitiTPSAR 409-10) or emails related to data searches of Haitian TPS holders (see, e.g., HaitiTPSAR 173-74).

Defendants offer no explanation for the need to deviate from the prior court-ordered or stipulated search terms beyond their generic belief that producing less responsive documents than before is somehow “more proportionate to the needs of the case.” But this claim is belied by the fact that Defendants were able to use the pre-existing stipulated and court-ordered search terms to search for and produce responsive records in ten days, which shows these search terms are not unduly burdensome or disproportionate to the needs of the case.

With regard to custodians:

In response to Defendants' counterproposal, Plaintiffs are willing to withdraw their request for the following custodians to be searched, from our initial proposal, so long as they are not signatories on the Clearance Records or the authors of the USCIS Decision Memo for Haiti:

Troy Edgar (DHS Deputy Secretary)
Joseph Guy (DHS Senior Advisor)
Aaron Calkins (USCIS Chief of Staff to Director)
Connie Nolan (USCIS SCOPS Associate Director)
Amany Ezeldin (OP&S Policy Advisor)
Karine Noncent (OP&S Policy Advisor)

Plaintiffs nonetheless believe that the following custodians should be searched:

Policy Advisors involved in drafting USCIS Decision Memo for Haiti *[who is this?]*
RAIO personnel involved in country conditions review for Haiti *[is this Policy Analyst Ofira Honig, who is listed in your counterproposal?]*

Corey Lewandowski (DHS Senior Advisor)
James Percival (DHS Senior Advisor)
Christina McDonald (Associate General Counsel for Regulatory Affairs)
Nader Baroukh (Office of General Counsel)
Jennifer Higgins (former USCIS Director)
Kika Scott (former USCIS Director)
Rena Cutlip Mason (Humanitarian Affairs Division Chief)

We look forward to your response.

Best,
Emi



Emi MacLean

Pronouns: she/her/hers

Senior Staff Attorney

ACLU Foundation of Northern California

39 Drumm St., San Francisco, CA 94111

(929)375-1575 | emaclean@aclunc.org

From: Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>
Sent: Tuesday, January 13, 2026 12:00 PM
To: Emi MacLean <EMacLean@aclunc.org>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: RE: NTPSA I--Defendants Proposed Search Terms, Dates, and Custodians

Hello Emi,

On a related note, please find Defendants' proposed terms, dates, and custodians for the existing RFPs. You'll notice the addition of some additional statutory terms to ensure identified records are more likely to be relevant, and the scale of the response more proportionate to the needs of the case.

This proposal is without prejudice to any privileges Defendants may seek to assert over the responsive materials. We welcome Plaintiffs' thoughts on this proposal.

Best regards,

Eric Snyderman

Trial Attorney, Office of Immigration Litigation, U.S. Dept. of Justice

O: (202) 742-7079 | M: (202) 925-0636 | eric.m.snyderman@usdoj.gov

From: Emi MacLean <EMacLean@aclunc.org>
Sent: Tuesday, January 13, 2026 2:12 PM
To: Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-

Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>

Subject: [EXTERNAL] RE: NTPSA I--CAR and discovery re Haiti termination

Thanks, Ruth. Please see attached Plaintiffs' portion of the discovery letter brief to be filed later today. We reserve the right to modify in light of Defendants' portion, and are also currently cite-checking and may make nonsubstantive edits as a result. Please note that this conforms with [MJ Kim's standing order](#), which is limited to 8 pages and requires an outline of the unresolved dispute and pertinent factual background including relevant dates. That section is one page, leaving 3.5 pages for each parties' portion. Please don't hesitate to let me know if useful to meet and confer further before finalizing.

Best,
Emi



Emi MacLean

Pronouns: she/her/hers

Senior Staff Attorney

ACLU Foundation of Northern California

39 Drumm St., San Francisco, CA 94111

(929)375-1575 | emaclean@aclunc.org

From: Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>

Sent: Tuesday, January 13, 2026 9:30 AM

To: Emi MacLean <EMacLean@aclunc.org>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>

Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>

Subject: Re: NTPSA I--CAR and discovery re Haiti termination

Hi Emi,

Thank you for your email memorializing Plaintiffs' read-out of yesterday's meet and confer. Defendants will provide their portion of any joint letter to Magistrate Judge Kim after today's hearing with Judge Chen as that hearing will inform Defendants' positions.

Thanks,

Ruth Ann

Ruth Ann Mueller
Senior Litigation Counsel
DOJ/Office of Immigration Litigation
202-598-2445

From: Emi MacLean <EMacLean@aclunc.org>
Sent: Tuesday, January 13, 2026 11:33:44 AM
To: Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: [EXTERNAL] RE: NTPSA I--CAR and discovery re Haiti termination

Counsel:

We write to memorialize our meet and confer discussion yesterday, January 12, which was in response to Judge Chen granting Plaintiffs' request for extra-record discovery and ordering the parties to meet and confer regarding search terms, custodians, and date ranges. As memorialized in greater detail below, at the meet and confer Defendants did not agree to any of Plaintiffs' proposals and did not offer any counter-proposals. Accordingly, as we informed you on the call, given the impending effective date of termination, Plaintiffs intend to file a joint discovery letter brief with Magistrate Judge Kim today and will provide our portion by 11 am PST / 2 pm EST and incorporate Defendants' portion to file in the evening, after Defendants send by 2 pm PST / 5 pm EST. The parties may also raise these continuing discovery disputes in tomorrow's hearing with Judge Chen.

Specifically, the parties discussed the following at the meet and confer:

- With regard to updating the previously ordered discovery in this case, Defendants rejected Plaintiffs' proposed custodians, date ranges and search terms, which were provided to Defendants nearly three weeks ago, on December 24, yet did not provide any counter-proposal.
- At the meet and confer, Defendants also refused to accept the date ranges or search terms ordered by this Court previously in *NTPSA I*; or a modified list of

the custodians, date ranges and search terms stipulated by the parties in *NTPSA II*—insisting that Defendants were looking at these RFPs “anew” and that because the time period at issue was longer, the previously ordered search terms and custodians needed to be revisited, but, again, did not actually provide any counter-proposal despite being ordered to meet and confer.

- In contesting Plaintiffs’ proposal (without providing a counter-proposal), Defendants relied heavily on the court’s analysis in *Miot*, even though that is in a different court, in a different circuit, and at a different stage of litigation without the extensive history of discovery litigation in this case.
- With regard to timeline for production, Plaintiffs explained that, in light of the imminent termination of TPS status for hundreds of thousands of Haitians due to Defendants’ actions, Plaintiffs would seek to have the Court order production for both the updated prior discovery (RFP Set 1) and the newly-ordered discovery (RFP Set 2) within ten days, consistent with this Court’s prior order regarding production in response to RFP Set 1.
- Defendants took the position that they have 30 days to provide any response to Plaintiffs’ RFP Set 2 and will negotiate within this time period and then provide privilege and relevance objections within 30 days, despite the fact that this will be after the effective date of termination. Defendants also stated that they would seek to consolidate their search and production related to the two sets of RFPs, meaning they do not intend to make any production of documents prior to the effective date of termination absent explicit court order.

We remain open to receiving any counterproposal from Defendants, and presuming we cannot reach agreement, look forward to the Court’s assistance in resolving these discovery disputes.

Best,
Emi



Emi MacLean

Pronouns: she/her/hers

Senior Staff Attorney

ACLU Foundation of Northern California

39 Drumm St., San Francisco, CA 94111

(929)375-1575 | emaclean@aclunc.org

From: Emi MacLean

Sent: Monday, January 12, 2026 8:56 AM

To: 'Snyderman, Eric M. (CIV)' <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV)

<Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV)

<Daniel.Cappelletti@usdoj.gov>

Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham

<arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young

<ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: RE: NTPSA I--CAR and discovery re Haiti termination

We look forward to speaking with you today at 11am PT regarding the discovery in *NTSPA I* and will call you at the number you circulated.

Best,
Emi



Emi MacLean
Pronouns: she/her/hers
Senior Staff Attorney
ACLU Foundation of Northern California
39 Drumm St., San Francisco, CA 94111
(929)375-1575 | emaclean@aclunc.org

From: Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>
Sent: Thursday, January 8, 2026 2:22 PM
To: Emi MacLean <EMacLean@aclunc.org>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: RE: NTPSA I--CAR and discovery re Haiti termination

Emi,
We confirm receipt of and accept service of the RFP, which we intend to oppose.

As to an M&C, we propose Monday 12 JAN at 2pm ET/11am PT. Please dial: (202) 235-7900 Meeting ID: 83229256#

Best regards,

Eric Snyderman

Trial Attorney, Office of Immigration Litigation, U.S. Dept. of Justice
O: (202) 742-7079 | M: (202) 925-0636 | eric.m.snyderman@usdoj.gov

From: Emi MacLean <EMacLean@aclunc.org>
Sent: Thursday, January 8, 2026 5:04 PM
To: Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: [EXTERNAL] RE: NTPSA I--CAR and discovery re Haiti termination

Thank you, Eric.

Plaintiffs serve the additional RFP authorized by the Court, attached here. Please confirm receipt and acceptance of service.

In light of the upcoming effective date of termination, we need to meet and confer as soon as possible, and no later than Monday, regarding Judge Chen's discovery order as we intend to seek intervention from the Magistrate on Tuesday if we cannot reach agreement. Please let us know some times Defendants are able to meet and confer tomorrow and/or Monday.

Best,
Emi



Emi MacLean
Pronouns: she/her/hers
Senior Staff Attorney
ACLU Foundation of Northern California
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(929)375-1575 | emaclean@aclunc.org

From: Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>
Sent: Wednesday, January 7, 2026 2:27 PM
To: Emi MacLean <EMacLean@aclunc.org>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham

<arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: RE: NTPSA I--CAR and discovery re Haiti termination

Counsel,

We are conferring with our clients on the Court's orders and your proposal and will follow up accordingly with a proposed time and date to meet and confer.

Best regards,

Eric Snyderman

Trial Attorney, Office of Immigration Litigation, U.S. Dept. of Justice
O: (202) 742-7079 | M: (202) 925-0636 | eric.m.snyderman@usdoj.gov

From: Emi MacLean <EMacLean@aclunc.org>

Sent: Wednesday, January 7, 2026 2:06 PM

To: Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>

Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Minju Cho <mcho@aclunc.org>

Subject: [EXTERNAL] RE: NTPSA I--CAR and discovery re Haiti termination

Counsel:

Please let us know times tomorrow that you would be available to meet and confer regarding discovery pursuant to Judge Chen's Tuesday order.

Best,
Emi



Emi MacLean

Pronouns: she/her/hers

Senior Staff Attorney

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39 Drumm St., San Francisco, CA 94111

(929)375-1575 | emaclean@aclunc.org

From: Emi MacLean <EMacLean@aclunc.org>

Sent: Tuesday, January 6, 2026 11:35 AM

To: Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>

Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Minju Cho <mcho@aclunc.org>

Subject: Re: NTPSA I--CAR and discovery re Haiti termination

Counsel:

Please let us know times that you would be available to meet and confer Wednesday or Thursday in response to Judge Chen's recent discovery order. To inform the meet and confer, Plaintiffs' proposed custodians, search terms, and date ranges for the existing discovery requests remain as included in the attachment to our December 24 email. We will shortly propose custodians, search terms and date ranges for the additional discovery that Judge Chen ordered as well.

We hope that we can resolve this without need for intervention of the Magistrate but would intend to raise with the Magistrate as soon as possible if we are unable to reach resolution.

Best,

Emi

Emi MacLean

Senior Staff Attorney

ACLU of Northern California

From: Emi MacLean <EMacLean@aclunc.org>

Sent: Friday, January 2, 2026 7:20:21 PM

To: Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: RE: NTPSA I--CAR and discovery re Haiti termination

Counsel,

Thank you for your patience. We made no changes except moving the Factual Background to Plaintiffs' portion. The final word version is attached. We are formatting and preparing to file now.

Best,
Emi



Emi MacLean

Pronouns: she/her/hers

Senior Staff Attorney

ACLU Foundation of Northern California

39 Drumm St., San Francisco, CA 94111

(929)375-1575 | emaclean@aclunc.org

From: Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>
Sent: Friday, January 2, 2026 3:06 PM
To: Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>; Emi MacLean <EMacLean@aclunc.org>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: RE: NTPSA I--CAR and discovery re Haiti termination

Good evening, counsel,

Did Plaintiffs make any updates to their version of the draft? If not, will you be filing in the next few minutes?

Thank you!

Shelby Wade

Trial Attorney

United States Department of Justice

Office of Immigration Litigation

P.O. Box 868, Ben Franklin Station

Washington, D.C. 20044

shelby.wade2@usdoj.gov

From: Wade, Shelby (CIV)

Sent: Friday, January 2, 2026 5:20 PM

To: Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>; Emi MacLean <EMacLean@aclunc.org>

Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Minju Cho <mcho@aclunc.org>

Subject: RE: NTPSA I--CAR and discovery re Haiti termination

Counsel,

Thank you so much for your patience, we appreciate it. Please find attached Defendants' updated portion of the joint letter. (For your reference, we also attached a redline version.) We consent to Plaintiffs placing Defendants' section into the draft you circulated earlier, with one exception. Defendants do not agree to the inclusion of paragraphs two and three under the Factual Background section (page 1, lines 14 through 25). If Plaintiffs would like to include that language, they are free to place it under the Plaintiffs' Position heading. Assuming these changes are made, Defendants approve of filing.

Please let me know if you have any questions.

Best,

Shelby Wade

Trial Attorney

United States Department of Justice
Office of Immigration Litigation
P.O. Box 868, Ben Franklin Station
Washington, D.C. 20044
shelby.wade2@usdoj.gov

From: Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Sent: Friday, January 2, 2026 5:03 PM
To: Emi MacLean <EMacLean@aclunc.org>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: RE: NTPSA I--CAR and discovery re Haiti termination

Counsel,

Defendants will be circulating their updated draft shortly. Thank you for your patience.

Best,
Daniel

From: Emi MacLean <EMacLean@aclunc.org>
Sent: Friday, January 2, 2026 1:23 PM
To: Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: [EXTERNAL] RE: NTPSA I--CAR and discovery re Haiti termination

Counsel:

Please see attached Plaintiffs' draft portion of the brief to be filed later today regarding discovery. We look forward to Defendants' portion which you can include directly in this draft for ease of finalization.

Best,
Emi



Emi MacLean
Pronouns: she/her/hers
Senior Staff Attorney
ACLU Foundation of Northern California
39 Drumm St., San Francisco, CA 94111
(929)375-1575 | emaclean@aclunc.org

From: Emi MacLean <EMacLean@aclunc.org>
Sent: Friday, January 2, 2026 8:19 AM
To: Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: Re: NTPSA I--CAR and discovery re Haiti termination

Thanks, Daniel. Plaintiffs do intend to still seek extra-record discovery. We are amenable to that timeline should the court need additional briefing, but as noted before, because of the fact that these issues have been briefed previously we intend to lay out the issues in our joint filing today as well. We will send our portion by 1030 PST.

Best,
Emi

Emi MacLean
Senior Staff Attorney
ACLU of Northern California

From: Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Sent: Friday, January 2, 2026 10:57:42 AM
To: Emi MacLean <EMacLean@aclunc.org>

Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Minju Cho <mcho@aclunc.org>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>
Subject: RE: NTPSA I--CAR and discovery re Haiti termination

Emi,

Thanks for your email. Defendants' position remains that we will not agree to any extra-record discovery. We understand your position from the meet and confer to be that Plaintiffs plan to seek extra-record discovery. Please let us know if this position has changed since you have reviewed the CAR.

Assuming your position remains the same, we are following up on our proposal that in today's letter the parties simply note that they will file a letter brief on the issue of extra-record discovery and propose a date for filing (rather than including arguments that will be repeated in the later letter brief). Are Plaintiffs amenable to this proposal? Assuming for the moment the answer is yes, Defendants will agree to the 1/8 filing date Plaintiffs proposed.

Furthermore, as we stated on Wednesday, we would appreciate the following schedule for today's filing that accounts for the time difference: exchange drafts by 10:30 AM PST (1:30 EST) and final filing no later than 2 PM PST (5 EST).

Best,
Daniel

From: Emi MacLean <EMacLean@aclunc.org>
Sent: Thursday, January 1, 2026 11:40 PM
To: Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Minju Cho <mcho@aclunc.org>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>
Subject: [EXTERNAL] RE: NTPSA I--CAR and discovery re Haiti termination

Thanks, Daniel, for this update and for filing the CAR in *NTPSA I*.

In our meet and confer on Tuesday, you communicated that the filing of the CAR was a prerequisite for substantive meet and confer on the other discovery items that Plaintiffs raised. Please let us know if, with the CAR now filed, Defendants' position has changed at all regarding 1) updating the existing discovery ordered by the Court, or 2) responding to the two proposed additional RFPs? We hope that, at a minimum, it would be possible to reach a stipulation regarding custodians, search terms and date ranges for updating the existing discovery the Court has ordered, as we have been able to previously. (See attachment to Plaintiffs' December 24 email for our proposed custodians, date ranges and search terms, which I have reattached here.)

Happy new year to you as well!

Best,
Emi



Emi MacLean

Pronouns: she/her/hers

Senior Staff Attorney

ACLU Foundation of Northern California

39 Drumm St., San Francisco, CA 94111

(929)375-1575 | emaclean@aclunc.org

From: Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>

Sent: Thursday, January 1, 2026 1:59 PM

To: Emi MacLean <EMacLean@aclunc.org>

Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Minju Cho <mcho@aclunc.org>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>

Subject: RE: NTPSA I--CAR and discovery re Haiti termination

Counsel,

As you may have seen, in response to the concerns you raised on Tuesday, we worked with our clients to finalize and file the CAR today. We look forward to continuing to work together to find areas of compromise in this case.

Happy new year!

Best,
Daniel

From: Cappelletti, Daniel (CIV)

Sent: Wednesday, December 31, 2025 2:51 PM

To: 'Emi MacLean' <EMacLean@aclunc.org>

Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Minju Cho <mcho@aclunc.org>

Subject: RE: NTPSA I--CAR and discovery re Haiti termination

Counsel,

Thank you for sending Plaintiffs' read-out of the meet and confer. Several points we discussed were not included, and we write to memorialize them.

Defendants explained that regarding the second Haiti termination, the court has not ordered extra-record discovery in this record-review case, and Defendants will not agree to extra-record discovery. Defendants noted that Plaintiffs' request for extra-record discovery is premature because the Certified Administrative Record has not yet been provided. Thus, Plaintiffs have not met their burden to demonstrate that extra-record discovery is warranted in relation to the second Haiti termination—regardless of what the court may have found with respect to prior distinct agency actions. Defendants explained that they could not confirm the exact contents of the CAR because the agency determines the CAR's contents, and Defendants' counsel has not seen a final version of the CAR in this case.

Defendants stated that they would provide the CAR no later than Tuesday, January 6, 2026. Defendants reminded Plaintiffs that the two-week period at issue contained Christmas and New Years, along with two additional days where all executive departments and agencies of the Federal Government were closed per an executive order. Nevertheless, after hearing Plaintiffs' concerns, Defendants agreed to ask their clients to move up this timeline. Plaintiffs stated that they would file the Miot CAR in this case if Defendants did not provide the CAR by Friday.

Defendants reiterated that they would not agree to extra-record discovery, but explained that in the event that the court ordered it, they would be willing to confer with Plaintiffs

on any discovery requests. Regarding the RFPs, Defendants stated that they oppose them and offered several bases on which they would challenge them if the court were to order extra-record discovery and Plaintiffs were to serve the RFPs as written.

Turning to the remainder of your email, we'd like to clarify next steps. Our reading of the order is that the court is asking only for the parties to provide a summary of the meet and confer (see ECF No. 354 at 2 ("The parties shall report back on their meet and confer by joint letter, no later than January 2, 2026.")). Thus, we agree that Friday's letter should outline the discovery disputes we discussed during the meet and confer. But any request for extra-record discovery must be made in a separate letter brief, akin to ECF No. 123 (attached).

Assuming Plaintiffs do intend to seek extra-record discovery, Defendants propose that in Friday's letter, rather than including legal arguments that will be repeated in the later letter brief, the parties simply note that they will file a letter brief on the issue of extra-record discovery and propose a date for filing. To that end, Defendants request the letter brief be filed on Monday, January 12, 2026, which would allow the court to address the matter at the conference the following day.

Regarding the timeline for Friday's letter, we would appreciate the following schedule that accounts for the time difference: exchange drafts by 10:30 AM PST (1:30 EST) and final filing no later than 2 PM PST (5 EST).

We appreciate your willingness to continue conferring. We are working with our clients to produce the CAR as quickly as possible and hope to have an update to share soon.

Best,
Daniel

From: Emi MacLean <EMacLean@aclunc.org>
Sent: Tuesday, December 30, 2025 8:40 PM
To: Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>
Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>; Minju Cho <mcho@aclunc.org>
Subject: [EXTERNAL] RE: NTPSA I--CAR and discovery re Haiti termination

Counsel:

Thanks for meeting regarding discovery matters in *NTPSA I*. We did not receive a written response from the agency to our December 24 email. In our call today, you communicated the agency's positions as follows:

1. Defendants would not commit to producing the CAR earlier than this coming Tuesday, January 6—even though the CAR regarding the Haiti termination decision was produced in *Miot* on December 10. Defendants would not confirm whether the CAR in *NTPSA I* will be identical to the CAR produced in *Miot*, or elaborate any reason why it would be different.
2. Defendants will not commit to producing any extra-record discovery related to the Haiti termination decision absent a court order, regardless of the existing extra-record discovery orders in this case, because in Defendants' view, this is a record review case. Defendants further refuse to engage in any substantive meet and confer regarding extra-record discovery (i.e., regarding custodians, search terms and date ranges) prior to the production of the CAR regarding the Haiti termination decision, even where the CAR has been produced in *Miot* already.
3. Defendants oppose the additional RFPs that Plaintiffs proposed in our December 24 email.

Judge Chen requested that the parties meet and confer regarding all discovery matters and provide an update to the Court by this Friday, January 2. If Defendants will not produce the CAR by this Friday, Plaintiffs will produce the CAR filed in *Miot* to ensure that the Court has it available for consideration of the discovery issues. In our portion of the status update due this Friday, we also intend to outline the discovery disputes that we have addressed. We believe, based on the Court's consideration of these matters previously, and with the CAR already publicly available, that the Court can readily and promptly resolve these matters. But if the Court needs additional briefing, we would propose that the parties file any additional letter brief no later than Thursday, January 8. The urgency is of course compelled by Defendants' fast-track termination of TPS for Haiti, and the imminent loss of status for 350,000 Haitians on February 3.

Please do not hesitate to let us know if useful to discuss any of these matters further. We remain available to meet and confer again before this Friday's filing deadline. Otherwise, we propose that the parties circulate draft portions of this Friday's filing no later than noon PT on Friday, and a final version no later than 4pm PT. We can take responsibility for filing so long as we have Defendants' portion no later than 4pm PT.

Best,
Emi



Emi MacLean

Pronouns: she/her/hers

Senior Staff Attorney

ACLU Foundation of Northern California

39 Drumm St., San Francisco, CA 94111

(929)375-1575 | emaclean@aclunc.org

From: Emi MacLean <EMacLean@aclunc.org>

Sent: Monday, December 29, 2025 11:43 AM

To: Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>

Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>

Subject: Re: NTPSA I--CAR and discovery re Haiti termination

Thank you, Daniel. That time works. I look forward to speaking then, and reviewing your responses in advance.

Best,

Emi

Emi MacLean

Senior Staff Attorney

ACLU of Northern California

From: Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>

Sent: Monday, December 29, 2025 10:47 AM

To: Emi MacLean <EMacLean@aclunc.org>

Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>; Berman-Vaporis, Rachel P. (CIV) <Rachel.P.Berman-Vaporis@usdoj.gov>; Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>; Kramer, Ilana R. (CIV) <Ilana.R.Kramer@usdoj.gov>; Mueller, Ruth A. (CIV) <Ruth.A.Mueller@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Snyderman, Eric M. (CIV) <Eric.M.Snyderman@usdoj.gov>; Wade, Shelby (CIV) <Shelby.Wade2@usdoj.gov>

Subject: RE: NTPSA I--CAR and discovery re Haiti termination

Emi,

I am working on responses to your questions but would like to get our meet and confer scheduled in the meantime. Would 12:00 p.m. PST (3 pm EST) tomorrow, 12/30, work for you? I am generally available tomorrow if another time works better.

Best,
Daniel

From: Emi MacLean <EMacLean@aclunc.org>

Sent: Wednesday, December 24, 2025 4:16 PM

To: Bryant, Lauren E (CIV) <Lauren.E.Bryant@usdoj.gov>; Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>; Ross, Catherine (CIV) <Catherine.Ross@usdoj.gov>; Hartman, Jeffrey M. (CIV) <Jeffrey.M.Hartman@usdoj.gov>

Cc: Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>

Subject: [EXTERNAL] NTPSA I--CAR and discovery re Haiti termination

Counsel:

In light of Judge Chen's instruction that the parties meet and confer regarding all discovery matters associated with the supplemental complaint in *NTPSA I*, Plaintiffs seek that Defendants:

1. Promptly produce in *NTPSA I* the CAR regarding the November 28 Haiti termination; and
2. Commit to update the responses to the already issued RFPs as to Haiti, with a deadline of no later than ten days after the parties stipulate to search terms, custodians and dates. (See Dkts. 129 & 135 ordering production of limited extra-record discovery.)

Plaintiffs propose that the parties stipulate to the search terms, custodians and dates that the parties stipulated to in *NTPSA II* (see Dkt. 84-1 at pp. 6-8), as modified for Haiti. This proposal is summarized in the attached.

Plaintiffs also intend to serve two additional RFPs seeking:

1. Communications regarding public representations of the Haiti TPS termination decisions
2. Documents concerning this administration's general policies and practices with respect to the TPS program, in four categories:
 - a. All draft and final Decision Memos for TPS decisions since January 20, 2025;
 - b. All draft and final country conditions reports for TPS decisions since January 20, 2025;
 - c. All consultation with the State Department regarding TPS since January 20, 2025;

- d. Communications regarding TPS periodic reviews involving a limited set of custodians centrally involved in TPS decisionmaking based on their roles:
- i) Rob Law, Nominee for DHS Undersecretary, Office of Strategy, Policy and Plans
 - ii) DHS Senior Advisor and General Counsel Nominee James Percival
 - iii) USCIS Director Joe Edlow
 - iv) USCIS Office of Policy & Strategy (OP&S) Director Samantha Deshommes
 - v) USCIS OP&S Humanitarian Affairs Division Chief Rena Cutlip Mason
 - vi) USCIS RAIO Associate Director Ted Kim
 - vii) USCIS RAIO subject matter expert responsible for drafting the country conditions review for the country at issue
 - viii) USCIS OP&S Policy Advisor responsible for drafting the Decision Memo for the country

Please let us know Defendants' positions on each of these items by December 29, and some available dates and times to meet and confer next week.

Happy holidays.

Best,
Emi



Emi MacLean

Pronouns: she/her/hers

Senior Staff Attorney

ACLU Foundation of Northern California

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